

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 1:18-cr-167

RYAN RASHAD BROWN, *et al.*,

HON. PAUL L. MALONEY
United States District Judge

Defendants.

DEFENDANT'S RENEWED RULE 29 MOTION FOR JUDGMENT OF ACQUITTAL

NOW COMES Defendant, Ryan Brown, and pursuant to FRCP 29(c)(1), hereby renews his earlier, oral motion for Judgment of Acquittal following close of the evidence at trial, on the basis that the evidence, taken in the light most favorable to the prosecution, is insufficient to enable any rational trier of fact to conclude that the essential elements of the offenses charged under indictment, and further states:

1. Defendant, Ryan Brown, was charged under the Government's Superseding

Indictment (ECF No. 818) filed September 11, 2019, as follows:

- Count 1: "*Conspiracy to Distribute Cocaine and Crack Cocaine*" contrary to 21 U.S.C. §846, §841(a)(1), §841(b)(1)(B) (ECF No. 818, PageID 4821-4824);
- Count 5: "Possession With Intent to Distribute Cocaine" on or about April 8, 2018, in Kent County, contrary to 21 U.S.C. §841(a)(1), §841(b)(1)(C) (ECF No. 818, PageID 4828); and,
- Count 12 with "Possession With Intent to Distribute 500 grams or more of a mixture or substance containing a detectable amount of cocaine" on or about May 7, 2018, in Muskegon County, contrary to 21 U.S.C. §841(a)(1), §841(b)(1)(B)(ii), and 18 U.S.C. §2. (ECF No. 818, PageID 4835).

2. Trial commenced before this Honorable Court on Thursday, October 24, 2019, with the selection of a jury, and the presentation of opening statements.
3. The jury reached a verdict on trial day 9, Tuesday, November 5, 2019.
4. Before the jury returned its verdict, but after close of the evidence, Defendant, Ryan Brown, through counsel, orally moved this Court for a judgment of acquittal. FRCP Rule 29(a), asserting the insufficiency of the evidence to go to the jury.
5. The Court denied the motion in its ruling from the bench.
6. The jury subsequently returned guilty verdicts.
7. Defendant submits, by renewal of his earlier motion, that the evidence was insufficient to sustain the verdicts.

Wherefore, pursuant to FRCP 29(c)(1), Defendant Ryan Brown respectfully renews his motion, and requests that the verdicts of guilty be set aside, and that a judgment of acquittal be entered.

Respectfully Submitted,

Dated: November 19, 2019

/S/ John M. Karafa
John M. Karafa
Attorney for Defendant Ryan Brown